IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 3RD JULY 2007 / 12TH ASHADHA 1929

Bail Appl..No. 3996 of 2007()

CRMP.556/2007 of D.C. & SESSIONS COURT,KOZHIKODE
CRIME NO.229/2007 OF THE MUKKOM POLICE STATION

.....

: PETITIONER/ACCUSED NO.3

T.T.ISHAK, S/O.ALIKUTTY, AGED 48 YEARS,
THAYYILTHODI HOUSE, THAZHEKKODE AMSOM,
CHENNAMANGALORE DESOM, KOZHIKODE TALUK.

BY ADV. SRI.SUNNY MATHEW

RESPONDENTS: COMPLAINANT

STATE OF KERALA, THROUGH THE
SUB INSPECTOR OF POLICE, MUKKOM POLICE STATION,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.S.U.NAZER

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 03/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

B.A.No.3996 of 2007

Dated this the 3rd day of July, 2007

ORDER

Application for regular bail. The petitioner is the 3rd accused. He along with co-accused faces allegations, inter alia, under Sections 308 & 324 r/w 149 I.P.C. The crux of the allegations is that the petitioner was a member of an unlawful assembly of persons who in prosecution of their common objection attacked their political rivals and caused injuries to the victim. The alleged incident took place on 09.06.07. The petitioner was arrested and continues in custody from 11.06.2007.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not seriously oppose the said prayer and I am satisfied that the petitioner can now be enlarged on bail subject to appropriate conditions, which shall ensure the interests of a fair, efficient and expeditious investigation. In the absence of serious opposition, it is not necessary to advert to facts in any greater detail.

3. In the result, this application is allowed. The petitioner shall be released on bail on the following terms and conditions.

i) The petitioner shall execute a bond for Rs.50,000/- (Rupees Fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate;

ii) The petitioner shall make himself available for interrogation before the Investigating Officer between 10 a.m and 12 noon on all Mondays and Fridays for a period of three months from the date of his release and thereafter as and when directed by the Investigating Officer in writing to do so;

iii) The petitioner shall not enter the jurisdiction of Mukkam Police Station for a period of one month from the date of his release except for the purpose of complying with condition No.ii above.

(R.BASANT, JUDGE)

rtr/-